

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To: EDWARD J. RUSSAVAGE LOWRIE, LANDO & ANASTASI, LLP ONE MAIN STREET SUITE 1100 CAMBRIDGE, MA 02142

Date of mailing (day/month/year) 19 SEP 2008
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Applicant's or agent's file reference R0586-7069WO	FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/US07/76224	International filing date (day/month/year) 17 August 2007 (17.08.2007)	Priority date (day/month/year) 17 August 2006 (17.08.2006)
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International Patent Classification (IPC) or both national classification and IPC IPC: A63F 9/24(2006.01),13/00(2006.01);G06F 17/00(2006.01),19/00(2006.01) USPC: 463/29
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Applicant GAMELOGIC, INC.

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 17 September 2008 (17.09.2008)	Authorized officer Robert E Pezzuto Telephone No. (571) 272-3700
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US07/76224

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

☒ the international application in the language in which it was filed

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ on paper

☐ in electronic form

c. time of filing/furnishing

☐ contained in the international application as filed.

☐ filed together with the international application in electronic form.

☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

**WRITTEN OPINION OF THE
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International application No.
PCT/US07/76224

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>NONE</u>	YES
	Claims <u>1-46</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-46</u>	NO
Industrial applicability (IA)	Claims <u>1-46</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Claims 1-46 lack novelty under PCT Article 33(2) as being anticipated by Cannon (US Patent 6,786,824).

Regarding claims 1, 12, 23 and 34, Cannon discloses a method of operating a bank of gaming machines locally in an casino establishment or over the internet via game computers in which the qualification of a player is determined so as to provide opportunity for the player to obtain a winning outcome based on occurrence of a game event symbol during game play, wherein the qualified player who places a wager of the feature game event may redeem their winnings from the outcome at the casino or redemption location at or within the proper time and may accumulate event credits during game play that are converted a credit meter based on the winning outcomes (column 7, line 33 to column 8, line 16, column 8, lines 34-59, column 10, lines 6-30, column 12, lines 19-61 and column 16, lines 29-59, Cannon).

Regarding claims 2-11, 13-22, 24-33 and 35-46, Cannon discloses that the qualified players may be redeemed at a casino where the gaming machines are located, that the player must be qualified based on event symbol occurrence criteria, that the identity of the qualified player determined, that the player is offered the opportunity to play after making a wager and being qualified based on the event symbol criteria, that wagering occurs at the casino and over the internet outside the casino, that the profile or demographics of the player is stored and status is established based on the player profile including monetary position in the game or any games played by the player, and that token prizes or non-cashable credit is provided to the qualified player (column 8, lines 1-33, column 8, line 60 to column 9, line 19, column 10, lines 6-30, column 11, lines 60-67, column 12, lines 19-38, column 12, line 62 to column 13, line 5 and column 15, lines 54-65, Cannon).

CHAPTER I
PCT TELEPHONE MEMORANDUM
FOR
LACK OF UNITY OF INVENTION



PCT No.: PCT/US07/76224

Examiner: ARTHUR O. HALL

Attorney spoken to: Edward J. Russavage

Date of call: 19 August 2008

- ☒ Amount of payment approved: \$5,000.00
- ☒ Deposit account number to be charged: 502762
- ☒ Attorney elected to pay for ALL additional inventions
- ☐ Attorney elected to pay only for the additional inventions covered by
- ☐ Group(s):
- encompassing --
- ☐ Claim(s):
- ☐ Attorney elected NOT to pay for any additional inventions, therefore, only the first claimed invention (Group I) covered by Claim(s) _____ has been searched.
- ☒ Attorney was orally advised that there is no right to protest for any group not paid for.
- ☒ Attorney was orally advised that any protest must be filed no later than 1 month from the mailing of the Search Report (PCT/ISA/210).

Time Limit For Filing A Protest

Applicant is hereby given 1 month from the mailing date of this Search Report in which to file a protest of the holding of lack of unity of invention. In accordance with PCT Rule 40.2, applicant may protest the holding of lack of unity only with respect to the group(s) paid for.

Detailed Reasons For Holding Lack of Unity of Invention:

Each group has a different special technical feature that can only be found in the particular group.

Note: A copy of this form must be attached to the Search Report.